App F IX 4

Previous References (1941 / hl) File No 111-41
Serial Nos 78, 79

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for May 42

SUBJECT

Bye-laws re unwieldy traffic in Bangalore city

To,
The Municipal Commr
The Comptroller
The D & P
L 11201-3/2542

Approved file

Recd 24 6 42

4609 (1)
2

General and Revenue Secretariat — File No — of 1940 — [App F III-2

Serial No

From the ml Commr, BCity, thro DOS
NO C & C 342/40-41 Dy 19-3-41
Forwards for sanction a copy of draft Bylaws framed by the city mcpl under section 51(1)(x) of the Bombay Mcpl Act 1933, for regulating the unwieldy traffic in the city.

1) It is stated that no objections were received when called for.

2) As the Bylaws in question relate to the control of traffic, the Police section may also be consulted subject to orders (The Bylaws are flagged "A")

1/10/41 24/3 3) These Bylaws are also based on the Bylaws in force in the Mysore city mcpl

29/3/41

[Page 19 of 1941 of the above printed]

4) The bye laws are not exhaustive. Nothing is said about jutkas, carriages and cars standing stationary. Any number of them can be seen standing waiting for hours together, as if they do not block the way. If allowed

5) The ml Comr will be required to add the necessary clause prohibiting the standing of the aforementioned vehicles in busy thoroughfares like Dodpet Chickpet, Nagarthpet, Avenue Road, Lawsey

NOTE—Contn Sheet

6660
29/3

) 29-3

560 of 40

4697

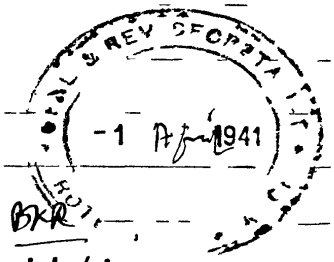
File No of 194 General and Revenue ~~Secretariat~~

Serial No

6) May be referred to the Police Section

Hm 2 31/3/41

Asst Secy Police Section (WC) Hm 31-3



BXR 1/4/41

7) The proposed bye laws are alright. But a clause may be added in the bill separately that "nothing contained in the bye laws shall affect or render invalid the provisions contained in any other enactments or the rules made thereunder in this behalf"

8) This clause will enable both the Municipal and the Police authorities independently of each other under the Municipal Act and Police Act respectively and ~~where~~ in co-operation or joint cases, ~~may~~ to so take action

9) If approved, the file will be returned to the L.S.G. Branch

10) The Police Section has no remarks to offer. The bye-laws have, however, to be got Scrutinized in the Law Section

BXR 1/4/41

Law Secy)

11) Hm 2 2/4/41

BXR 2/4/41

Asst Secy Law Section (WC)

2/4/41

Law 156/40

21st March 1941

(2) 5607

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No

12) The Bye-laws in question are intended to control unwieldy traffic & as such are to be framed under Sec 51(1)(x) of the City Improvement Act

13) In Before the word 'may' in the 1st line the words "after due Notice" may be inserted

14) 2) The Bye-laws as framed makes an invidious distinction between motor Buses & lorries plying for hire, & those used by owners for their own purpose Such a distinction is not provided for in Sec 51(1)(x) The Conditions under which such Vehicles can be allowed to use the roads etc are specified in the said Section Hence the Bye-laws is ultra vires as it does not conform with the provision of Sec 51(1)(x) of the City Improvement Act

15) 5 to 8) These Bye-laws can be framed under Sec 51(1)(ab), & not under Sec 51(1)(x) - as the latter section is intended for the control of unwieldy traffic The wordings of these Bye-laws need no change

16) With these changes the Bye-laws may be issued for publication

Law Secretary 3 24/6/41

17) Hon 2 25 6 41

Govt Secy 3 25/6/41

NOTE—Contn Sheet

Bylaws re 4609 Traffic - Bluecastle

File No | of 194 | General and Revenue Secretariat

Serial No

15)
113
3117
Hm

Invited with a draft Go. for appl
The suggestions of the Asstt Secy Law
made in Paras 13 & 15 have been
adopted in the Bye laws. The Bye laws
referred to in Para 14 seems to be
alright & no change appears to
be necessary.

4) The fines provided
in some cases are excessive
vide Bye laws Nos 1) 2 5 9. They may
be reduced to Rs 5/- or Rs 10/-
Law Secy) Hm 2-8

1/A

SECY LAW DEPT
2 AUG 1941
GOVT OF MYSORE

5) The Bye-laws may be approved
with the alterations mentioned at A

OFFICE OF THE MINISTER
FOR L S G & P H
Date 4 8 41
No 757

Minister
for Law) Hm
2/8/41

Hm

The Bye laws as passed
by the Mul Council approved

Hm
5 8 41

Hm
2
5/8/41

TYPING BR
6 / -- 1941

Issue
Hm 5-8

4609 / 40 (3)

General and Revenue Secretariat — File No ML 111 of 1941 — [App F III 2

Serial No	
79	To the ML Comm, Bcy the POs the Comptroller the Dy of Police No L 11201-3 By 25/5/42 Approves of the Bye Laws

NOTE-Contn Sheet

File No | of 19 | General Index Secret

Serial No	

4609

BANGALORE CITY MUNICIPALITY

No C.2.C 342/40-41

Encl Six

MUNICIPAL OFFICES

Bangalore 19th March 1941

Re 111-41-38.

From

S NARAYANA RAO ESQ M A (HONS)
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

H. V. Narayana Rao, Esqr., B A , LL B ,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE

SIR,

I have the honour to forward herewith a copy of the resolution of the City Municipal Council dated 15th March 1941 approving the draft byelaws framed by the City Municipal Council under Section 51(1)(X) of the Mysore City Municipalities Act of 1933 in the matter of regulation of unwieldy traffic in the City.

The subject in the first instance came up before the byelaw Committee on 15-10-1940 and the byelaws were approved with the necessary amendments. The decision of the Byelaw Committee came up before the Municipal Council in the first instance who at their meeting held on 21-11-1940 approved of the resolution of the Byelaw Committee with slight alteration regarding the fixture of hours so as to be consistent with the Police regulation

Objections were thereupon invited from the public and no objections were received within the stipulated period.

The subject came up again before the Byelaw Committee for a second time on 27th February 1941 and finally before the Council on 15th March 1941 and the byelaws were approved in toto

Copies of the resolutions of the Bye-law Committee dated 15-10-1940 and 6-3-1941 and of the Council dated 21-11-1940, 27-2-'41 and 15-3-1941 are enclosed herein for favour of reference

I request that sanction of Government may be kindly obtained to the resolution of the Council in the matter of the adoption of the

P T. O

adoption of the byelaws herewith appended.

I have the honour to be,

Sir,

Forwarded with Compliments,

Your most obedient servant,

Honorary President.

Municipal Commissioner.

aar/-

30/40.

Minutes of the proceedings of the ordinary General meeting of the City Municipal Council, Bangalore held on Saturday the 15th March 1941 at 4 P.M. in the Council Chamber of the City Municipal Offices, Bangalore.

- o -

Present.

W.H.Hammanthappa, Esqr.,
Honorary President.

Messrs.

1. V.K.Govindarajalu, B.A., B.L.,
2. R. Subbanna.
3. N. Lesavalengar, B.A., B.L.,
4. Ramala Thiwari,
5. L.C.Raju, M.A.(Hons.), B.L.,
6. V. Venkataramanappa,
7. G. Manjappa,
8. K. Hammanthiah, B.A., LL.B.,
9. T. Gangadharaswamy,
10. B. Narasimhiah,
11. V. Venkataswami Chetty,
12. K. Ganga Setty,
13. K.N.Ramaswami, B.A.,
14. K. Shamarajaiengar, B.A.,
15. C.N.Narasinga Rao, B.A., B.L.
16. H.R.Guruva Reddy, B.A., LL.B.,
17. M.A.Gopalaswami Iyengar, M.A., LL.
18. P.R.Honnappa, B.A., B.L.,
19. L.K.Narayana Iyengar, B.A., B.L.,
20. H.C.Suryanarayana Rao,
21. B. Subbiah, B.Sc., LL.B.,
22. Lota Lamakshiah Setty,
23. O.S.Nasarulla Shoriff, L.A., LL.B.,
24. Mirza L. Azizulla Baig,
25. A. J. Khaleel, B.A., B.L.,
26. Dr. M. Royan, L.D.,

-Absent.

1. Mr.A.Madhava Iyengar, B.A.,
2. Mr. S.M.I.Razvi,
3. Mr. V. Chikkayellappa,

- o O o -

aar/-

Bangalore City Municipality

Proceedings of the Meeting of Council dated 15-3-1941.

Additional Subject No 14. Opinion of the Bye-law Committee dated 6-3-1941 approving draft bye-laws for regulating unwieldy traffk in the City.

Mr. L. S Raju moved and Mr M A. Gopala swami Iyengar seconded.

R e s o l u t i o n A p p r o v e d .

Sd. W H.Hanumanthappa,
Honorary President.

- - - - - -

" Copy "

S Nanjunda Rao

Municipal Commissioner, 20/3

aar/-

Proceedings of the Bye-Law Committee meeting dated 6th March 1941.

No. 7, Council resolution dated 27th February 1941 referring the draft bye-laws for regulating the undieldy traffic in the City, to the Bye-law Committee.

The draft bye-laws may be approved.

Sd. L. S Raju,
Chairman,

- - - - -

Copy

Municipal Commissioner.

aar/-

Council Proceedings dated 27-2-1941.

Subject No 28.

Mr L S Raju moved that this may be referred to the Bye-law Committee and Mr M A Gopalaswami Iyengar seconded.

The Commissioner explained that the Bye-law Committee had drafted bye-laws which had been approved by the Council and they were published in the local papers calling for objections, if any, and since ther was no objections, it had come up before them for formal approval.

Res.- The proposition of Mr L S.Raju was approved by the House.

Sd/- W H.Hanumanthappa,
Hon. President.

Copy

Municipal Commissioner

aar/-

Bangalore City Municipality.

Proceedings of the Meeting of Council dated 21-11-1940

Subject No. 46, Opinion of the Bye-Law Committee dated 15-10-1940 approving draft bye-laws for regulating unwieldy traffic in the City.

R e s o l u t i o n Vide copy enclosed.

Sd. M Royan,
Honorary President.

- - - - - - - -

Copy

Municipal Commissioner. 2/3

aar/-

Council Proceedings dated 21-11-1940

Subject No 46

Mr I K Purushotham Naidu moved and Mr S Krishnappa seconded.

Mr H R.Narasimha Iyengar observed that it had brought to the notice of the Chairman of the Committee when the Bye-laws were framed that they should adhere to the lighting time as per break schedule as fixed by the Police Regulation with a view to avoid any clash with that Regulation and said that the words ' between the hours of 7 P.M. and 4 A M ' in Rule 7 of the Bye-laws may be replaced by the words ' between lighting hours, as per schedule, half an hour after sunset and half an hour before sunrise ' so that there need not be any difference between their timings and the timings of the Police Regulation, and this suggestion of Mr H R Narasimha Iyengar was duly accepted by the House and the Bye-laws were approved with this amendment

Sd/- M. Royan,
Hon President

Copy

S. Varadarajan
Municipal Commissioner. 2/12/3

aar/-

Bangalore City Municipality

Proceedings of the Meeting of Bye-Law Committee dated 15-10-1940

No. 1, Bye-laws for regulating unwieldy traffic in the City.

Resolution Approved as amended

Sd N Balakrishnaiya,
Chairman

Copy

S. Narayanaswamy

Municipal Commissioner. 29/3/41

aar/-

G R S App F VI—G 2]

SUBJECT

Ab 5

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 25/5/42 ~~194~~

Signed by M G Rao

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section Ml

File No 111-41

Serial No 79

Proceedings of the Government of His Highness the Maharaja of Mysore

Read Letter NO C2 C 342/40 Dy 19-3-41 from the ML Comm Bangalore city, forwarding for approval a copy of the draft Byelaws framed by the ml cl and under section 51 (1) (x) (ab) of the Mysore city mcipties ~~Order thereon No~~ Act 1933, for regulating the unwieldy traffic in the city as approved by the ml cl in their meeting held on 15-3-41

Order NO L 11201-3

The Byelaws are approved and appended

to this order

The ml Commr is requested to get these Byelaws printed and send a dozen copies thereof to this office for report record

HH

say to Court

HB Law Sept 21/7

To The ml Commr, Beij thro PS

The Comptroller

The Sy of Police

Copy to Police section

List of Enclosures

Copied by

Examined by

WD 087—GPB—40 000—14 11 40

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read —

Letter No.C2-C.342/40 dated 19th March 1941 from the Municipal Commissioner, Bangalore City, forwarding for approval a copy of the draft Bye-laws framed by the Municipal Council under Section 51(1)(x) and (ab) of the Mysore City Municipalities Act, 1933, for regulating the unwieldy traffic in the City as approved by the Municipal Council in their meeting held on 15th March 1941.

ORDER NO:

Dated, Bangalore, the May 1941.

The Bye-laws are approved and appended to this order.

The Municipal Commissioner is requested to get these Bye-laws printed and send a dozen copies thereof to this office for reference and record.

For Secretary to Government,
Law Department.

To

The Municipal Commissioner, Bangalore City (Through President).
" Commissioner Comptroller to Government.
" Inspector-General of Police in Mysore.

SR/5/5

BYE-LAWS OR REGULATION OF MUNICIPAL TRAFFIC

Under section 51-(1) (x) (ab) as the amendment is

1 The Municipal Commissioner may, from time to time, prohibit the use of any road, street, or lane within the Municipal Limits for vehicular traffic and any person infringing such prohibition shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs 50/- for the first and Rs 100/- for every subsequent offence

2 Motor buses and lorries plying for hire within the Municipal Limits, with the exception of Government, Municipal and postal vehicles, are prohibited from using the roads to be specified from time to time

Any person including the owner or driver of the bus or lorry committing a breach of the above bye-law shall, on conviction, be punishable with a fine which may extend to Rs 50/-

Persons or Companies using their own buses and lorries for private use will not be liable under this bye-law

3 No cart, motor bus or lorry entering the Municipal limits with passengers or laden with commodities of any description for sale or otherwise shall be allowed to stand so as to cause obstruction to general traffic in the crowded thoroughfares and streets of the Municipality beyond the time necessary or ordinarily required for unloading or otherwise, after which, the cart, motor bus or lorry must either proceed to their destination or go one of the public or private stands set apart for conveyances

The owners or other persons in charge of such cart, motor bus or lorry as shall be found standing in the public roads or thoroughfares contrary to this bye-law shall, on conviction, be liable to a fine not exceeding Rs 5/- for the first and Rs 10/- for every subsequent offence

4 All carts loaded with fuel, Cholam stalks or straw shall not be allowed to stop on the public roads or streets other than in places set apart by the Municipality for the purpose

Breach of this bye-law will render the cart driver liable, on conviction, to a fine not exceeding Rs 5/- for each offence

5 All carts and conveyances shall be bound to keep to their left side of the road to enable carriages to meet and pass on the right side

Any person infringing this bye-law shall on conviction be liable to a fine which may extend to Rs 20/- or Rs 5/- [illegible]

6 All vehicles of any description whatever shall have [illegible] lighted lamps after sunset and before sunrise

7 Whoever drives a vehicle of any description on any road within the Municipal Limits between lighting hours as per schedule, half an hour after sunset and half an hour before sunrise without having a lighted lantern affixed to each side of such vehicle, shall be liable on conviction to a fine not exceeding Rs 5/-, provided that heavy goods carts proceeding at a walking space may be provided with one lighted lantern to be hung from the centre of the cart-

8 Whoever drives any goods cart drawn by bullocks within the Municipal Limits shall proceed at a walking pace and the bullocks shall be bridled with rope of sufficient strength to admit of the driver having perfect control over them

Breach of this bye-law shall render the offender liable, on conviction, to a fine not exceeding 5/-

9 Whoever rides any bicycle, motor cycle or motor car on the public road within the Municipal Limits without a bell or horn or without proper light between the hours of [illegible] and [illegible] shall be liable on conviction to a fine which may extend to Rs 20/-

liable on conviction to a fine which may extend to Rs 20/-

- - - - -

Copy

for secy to Govt
Law Deptt

Municipal Commissioner. 20 3/41

aar/-